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JUN 03 2008

OFFICE OF PETITIONS

In re Application of
Hank Kleban
Application No.: 09/800871
Filing or 371(c) Date: 03/07/2001
Attorney Docket Number: P00-132-KLE:

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DECISION ON
PETITION

This is a decision in response to the petition to revive an application unintentionally abandonment under 37 CFR 1.137(b), filed December 3, 2007. The delay in treating this petition is regretted.


This Petition is hereby **granted**.

The above-identified application became abandoned for failure to timely and properly reply to the Office communication; mailed July 16, 2002. The Office communication set a two (2) month period for reply. Extensions of time were available under 37 CFR 1.136(a). No reply having been filed, the application became abandoned September 17, 2002. A Notice of Abandonment was mailed February 21, 2003.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply; (2) the petition fee; (3) and a proper statement of unintentional delay. Accordingly, the failure to respond to the Office action under Ex parte Quayle, 1935 Dec. Comm'r Pat. 11 (1935), mailed July 16, 2002 is accepted as being unintentionally delayed.

This application is being forwarded to Technology Center Art Unit 3616 for processing of the response.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3232.


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Office of Petitions